IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER

TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION NO : 24687 of 2001**

Between:

D.Ananda Reddy, S/o Manikyam Reddy,
R/o Reddypalli Village, Bukkapatnam, Grampanchayat,
Gangadhara Nellore Mandal, Chittoor District.

**..... PETITIONER**

AND

1 State Election Commissioner, State Election Commission Office, Secunderabad.
2 The District Collector, Chittoor.
3 The Election Officer, Bukkapatnam Grampanchayat, Gangadhara Nellore Mandal, Chittoor District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the election of Member From Ward No.4 of Bukkapatnam Gram Panchayat Gangadhara Nellore Mandal, Chittoor District scheduled to be held on 4.12.2001 is illegal and improper and violative of Article 14 of the Constitution of India.

**Counsel for the Petitioner:MR.P.V.VIDYASAGAR**

**Counsel for the Respondents: ADVOCATE GENERAL**

**The Court made the following :**

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24687 OF 2001

ORDER:

The election of Member of Ward No.4 of Bukkapatnam Gram Panchayat was notified in August 2001. However, the election could not be held as none of the villagers filed any nominations and the election was postponed. The State Election Commission issued a notification notifying the election to casual vacancies and as per the scheduled fixed, the election for the Ward Member is to be held on 4.12.2001. According to the petitioner, the Election Officer has not notified elections as per Rule 4 of Andhra Pradesh Panchayat Raj (Conduct of Elections of Members and Sarpanch of Gram Panchayat, Members of Mandal Parishad and Members of Zilla Parishad) Rules, 1994 (for short, the Rules). Further, the petitioner alleges that when he went to the Office of the Gram Panchayat at 4.30 p.m. on 22.11.2001 for filing nomination papers, there were nobody to receive the nominations and therefore, he made a representation to the Election Officer, in vain. However, the respondents are proceeding with the election on 4.12.2001. Therefore, he filed the Writ Petition.

This Court while admitting the Writ Petition did not pass any interim orders staying holding of the elections. Therefore, the elections went on as per the programme. Hence, the cause of action does not survive.

The Writ Petition is accordingly dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

8.9.2004

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To

1 State Election Commissioner, State Election Commission Office,
Secunderabad.
2 The District Collector,
Chittoor.
3 The Election Officer,
Bukkapatnam Grampanchayat, Gangadhara Nellore Mandal,
Chittoor District.

4 2 CCs to the Advocate General, High Court Bldgs., Hyderabad (OUT)

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